

Ordinance No. 4-05 ORDINANCE: To Grant Text Amendment Application No. TXT2004-00211, with amendments, King Farm Associates, Applicant

WHEREAS, King Farm Associates, Applicant, c/o Olav Kollevoll, 8330 Boone Boulevard, Suite 460, Vienna, VA 22182, filed Text Amendment Application TXT2004-00211, for the purpose of adding nursing homes as a permitted use within residential areas of a comprehensive planned development (CPD); and

WHEREAS, the Mayor and Council of Rockville reviewed the aforesaid application at its meeting of June 14, 2004, and accepted the application for further processing; and

WHEREAS, the Planning Commission reviewed the proposed text amendment application at its June 23, 2004, meeting and recommended approval, in part, with modifications; and

WHEREAS, pursuant to Article 66B of the Annotated Code of Maryland, the Mayor and Council of Rockville gave notice that a hearing on said application would be held by the Mayor and Council in the Council Chambers at Rockville City Hall on July 19, 2004, at 7:00 p.m. or as soon thereafter as it may be heard; and

WHEREAS, on July 19, 2004, said application came on for hearing at the time and place provided for in said advertisement; and

WHEREAS, the Mayor and Council having considered the text amendment application, and the entire file pertaining thereto, said Mayor and Council having decided that the granting of this application, as amended, in the form set forth below would promote the health, safety and welfare of the citizens of the City of Rockville.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, that Text Amendment Application No. TXT2004-000211 be, and the same is hereby, granted, as amended, in the form set forth below.

SECTION 1. That Chapter 25 of the Rockville City Code entitled “Zoning and Planning,” Section 25-643, “Uses permitted in comprehensive planned development” be amended to read as follows:

Sec. 25-643. Uses permitted in comprehensive planned development.

The following uses may be authorized subject to the procedures hereinafter set forth and the limitations pertaining to such use recommended in the approved and adopted Plan:

* * *

(5) Institutional

- a. Day care facilities;
- b. Eleemosynary or philanthropic institutions;
- c. Private business, trade, and job training schools.
- d. Nursing homes, in areas specifically designated for nursing home use in the concept plan.

* * *

Note: [Brackets] indicate material deleted
Underlining indicates material added
Asterisks * * * indicate material unchanged by this ordinance

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I hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Mayor and Council at its meeting of March 14, 2005.

Claire F. Funkhouser, City Clerk

